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STEVEN Z. LEGON
Of Counsel

February 9, 2022

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

The application is granted. The
Defendant's surrender date is extended
to March 25, 2022. He will surrender
at the designated institution by 2:00 on
that day.

SO ORDERED:

Paul G. Gardephe

Re: *United States v. Adolfo Villalona*, Docket No. 18 Cr. 661-PGG Gardephe, U.S.D.J.

Dated: Feb. 10, 2022

Dear Judge Gardephe:

Defense counsel respectfully submits this letter motion to request an extension of six (6) weeks time for the defendant, Adolfo Villalona, to surrender to the Bureau of Prisons at FCI Fort Dix, which is the institution that has been designated for the service of Adolfo Villalona's sentence of imprisonment in the above referenced matter.

At the time of Adolfo Villalona's sentencing, which was held on December 10, 2021, the court set a surrender date of February 11, 2022; however, Adolfo Villalona has requested that counsel file a motion seeking a (6) week extension of his surrender date for the following reasons:

1. Just yesterday, Adolfo Villalona was diagnosed with an acute exacerbation of his chronic asthma condition, which required him to seek medical attention. Adolfo Villalona's treating physician, Dr. Aleedo A. Vruz, prescribed a regimen of in-office treatment once a week for six weeks, beginning yesterday. Adolfo Villalona was also prescribed a daily regimen of medications to be taken several times per day, including Prednisone tablet (20 mg), Albuterol aerosol (90 mg), Albuterol solution (2.5mg/3 ml) by nebulizer, Montelukast tablet (10 mg), and Trelegy Ellipta inhalable powder (200 mcg). In light of this most recent acute exacerbation of his asthma condition, Adolfo Villalona would like additional time to surrender so that he can remain under the care of Dr. Vruz until the conclusion of the prescribed six week in-office medical treatment.¹

¹ We recognize that the imminent prospect of surrender does cause a certain level of anxiety, but this recent episode is consistent with Adolfo Villalona's long term chronic health issue, which has been timely and best addressed by his treating physician.

2. Adolfo Villalona is a business owner. He owns and operates H&H Auto Body, which is an auto body shop located at 905 Sacked Avenue, Bronx, New York. Adolfo Villalona relates that due to the Covid-19 pandemic, he is still in the process of tying up loose ends, including responsibility for customer's vehicles which are still in his shop pending final determinations by insurance companies regarding supplemental parts and labor, as well as whether do deem certain vehicles as total losses. Through no fault of his own, this process has been delayed due to the Covid-19 pandemic, and he relates that although his brother plans to assume responsibility for the foregoing once Adolfo Villalona reports to prison, his brother does not have much experience handling these matters, and he wants his customers to be treated fairly by the insurance companies. Moreover, Adolfo Villalona is not presently taking on any new customers that would cause this situation to continue in the future.

Defense counsel has conferred with counsel for the government regarding this motion. The government opposes an extension for any period of time greater than two weeks.

Thank you for your Honor's consideration of this application. If there are any questions, or if additional information is required, please contact me at your Honor's convenience.

Respectfully,

Anthony L. Ricco

Anthony L. Ricco

ALR/jh

cc: A.U.S.A. Louis Pellegrino (By E.C.F.)